

REMARKS

Claims 1-13 and 15-26 are pending herein. Claims 1-9 stand withdrawn. New claim 26 is added. No new matter is added by this amendment.

Applicant appreciates the Patent Office's indication that claims 11-16 and 18-25 are allowable subject to incorporating limitations of their base claims. For the reasons discussed herein, Applicant believes that all of claims 10-13 and 15-26 are in condition for allowance.

Claim 14 was rejected to as being of improper dependent form. By this amendment, claim 14 is cancelled.

Claims 12, 14, 15 and 23-25 were objected to for informalities. By this amendment, Applicant has adopted the Patent Office's suggested revisions.

Claims 10 and 17 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,529,313 to Malks. The rejection is respectfully traversed.

Claim 10 is amended to include subject matter indicated to be allowable by the Patent Office. New claim 26 also includes subject matter indicated to be allowable. Claim 17 is amended to recite that "both the gasket blank and the pan blank are simultaneously trimmed during the cutting." The Malks Patent fails to teach or suggest trimming both the pan blank and gasket blank. Moreover, the Malks Patent fails to teach or suggest simultaneously trimming both the pan blank and the gasket blank. Instead, the Malks Patent describes placing the gasket 10 on the oil pan rim 22 of the oil pan 14. The pins 28 of the gasket 10 are inserted through corresponding clearance holes 20 of the oil pan rim 22. The pins 28 align or retain the gasket 10 on the oil pan rim 22. The oil pan 14 is secured to the block 12 via the bolts 18. The pins 28 are ultimately removed by breaking or cutting the fragile connective members. In no way is the oil

pan 14 or its rim 22 trimmed or cut during this process. As such, the Malks Patent fails to teach or suggest each and every element of the present invention.


Further, the Malks Patent in fact teaches away from trimming the oil pan rim 22, since the oil pan rim 22 and the oil pan 14 are critical to maintaining pressure and oil in the block 12 and any trimming of the oil pan rim 22 could lead to breakdown of the entire oil pan structure resulting in a catastrophic engine failure. For at least these reasons, reconsideration of withdrawal of the rejection is respectfully requested.

Applicant respectfully requests prompt allowance of claims 10-13 and 15-26. The Patent Office is invited to contact the undersigned with any questions or comments with respect to the foregoing.

Respectfully submitted,

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